

Panther Guns Untested For Prints, Police Say

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CHICAGO, Jan. 8—Chicago police made no attempt to find fingerprints on guns allegedly collected in a Black Panther leader's apartment after a raid there last month, the sergeant who led the raiding party said today.

Sgt. Daniel Groth said that he could offer no "logical reason" why no attempt to identify fingerprints was made.

His testimony seemed to astonish a special deputy coroner holding an inquest into the police raid in which two Black Panthers were killed.

Police have contended that the fatal shootings took place during a wild exchange of gunfire with Panther Party members in a West Side apartment and have produced ri-

fles, shotguns and pistols allegedly seized at the scene.

Special Deputy Coroner Marshall S. Gerber asked Groth, "Can you give us any logical reason why technicians of the crime laboratory would not attempt to seek" at least one fingerprint to show the weapons had been held by the Panthers during the shootout.

This exchange followed:

Groth: "No."

Gerber: "No, what."

Groth: "No, sir . . . I can't give you any logical reason."

Groth's testimony opened up several new questions about the police version of the raid and the sergeant's answers apparently did not satisfy some members of the special coroner's jury.

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other cease-fire and heard an officer stationed behind the apartment say: "Come out with your hands up," and one man surrendered.

Groth testified: "A voice came from what I considered to be the first bedroom and said, 'Shoot it out,' and the shotgun blast was fired from the first bedroom."

"The officers resumed their fire in a few seconds," the witness continued, "I then requested they all stop firing again. Which they did."

"A Shot Rang Out"

Groth said he was told that occupants of the apartment were surrendering to officers in the rear. He said as those persons were surrendering "I pleaded with the occupants of the front bedroom to surrender."

"A shot rang out, apparently from the first bedroom," Groth said. Groth testified that one of his officers shouted he had been hurt and another officer fired several shots into the first bedroom.

It was then, the sergeant said, that the persons in that area of the apartment surrendered.

The coroner's jury—a racially mixed group of six leading Chicagoans—visited the Hampton apartment for 10 minutes today and then resumed hearing testimony.

In testimony Wednesday Groth said his men gathered in his office an hour before the 5 a.m. raid to arm themselves for the assignment. Their weapons included a submachine gun, a carbine, and four shotguns in addition to several handguns, he added.

Lawyer Comments

Groth said that with the exception of the submachine gun, the weapons were ones normally employed by his officers in serving warrants.

Gerber asked if Groth considered using tear gas.

"No, sir," the officer replied, "I didn't see any need for it. I was going to execute a warrant."

The deputy coroner said the weapons still seemed extremely dangerous for such a mission. "Why did you not feel that other means, such as tear gas, could be used to subdue the inhabitants of the apartment?" he asked.

"There was no tear gas available," Groth replied.

"You mean there was none in the building at the time you left for the raid?" said Gerber.

"Yes," said Groth.

One juror, Philip Corboy, made that clear when he said, "Frankly, things already have come up that raise questions about this man's (Groth's) credibility."

Corboy did not explain what had raised his doubts. But he and other panel members insisted, over Gerber's objections, that Groth answer questions designed to expose his general attitude toward the Black Panther Party.

The raid early on Dec. 4 left two men dead—Fred Hampton, chairman of the Illinois branch of the party, and Mark Clark, a downstate Panther leader. The Panthers claim that Groth and his men went to the apartment at 4:45 a.m. specifically to kill Hampton.

In other testimony today, Groth made the first public acknowledgement that police used an "undercover truck"—believed to be a telephone company vehicle—to embark on the raid in the all-black neighborhood.

Assertion Denied

That assertion previously had been denied by state's attorney Edward V. Hanrahan, whose police made the raid.

Earlier, Groth told the jury he had called for a cease-fire three times during the raid.

Groth testified that when he and his men tried to serve a warrant to search for illegal weapons in Hampton's West

Side apartment they were met by gunfire.

Groth said he knocked many times on the door of the Hampton apartment and a male voice called from inside, "Who's there?" "Police officers," he replied and announced they were there with a search warrant.

The officer said he waited about 30 seconds, received no response and told one of his men to force the door open. As one of the men pushed open an inside door leading to the living room of the apartment, he added, a shotgun blasted.

"I noticed a female Negro lying on a bed with a shotgun" in her lap, Groth testified.

"I said 'Look out, she's going to fire again.' The illumination from the shotgun blast lit up her face."

"I got up on my toes and fired several shots with my service revolver."

"Ordered a Cease-Fire"

He said he told an officer to radio for help because he thought one of his men was wounded, and "then returned and ordered a cease-fire by all police officers." He said the men complied.

Groth said all was quiet and then "a shot rang out and they (police officers) resumed their firing." He said the shots came from the rear of the apartment.

Groth said he ordered an-